THE HONOURABLE SRI JUSTICE V. ESWARAIAH

WRIT PETIION No.17999 OF 2005

Dated: 21-11-2005

Between:

Parvathaneni Nishant Prasad, S/o. Parvathaneni Ravi Kumar, Student, rep. by his father/natural guardian Parvathaneni Ravi Kumar, S/o. P.S.V. Prasada Rao, Business, R/o. D.No.40-13-4, Benz Circle, Chandramoulipuram, Vijayawada – 520 010.

…PETITIONER

AND

Union of India, Government of India, Rep. by its Secretary, Hyderabad and another.

…RESPONDETNS

ORDER:

Petitioner, a minor, represented by his father/natural guardian Mr. P. Ravi Kumar, applied for passport before the Regional Passport Officer, Secunderabad in the year 2001 and the passport

No. B 3308683 was issued on 18.01.2001 valid up to 17.01.2006.

The father's name of the petitioner was entered as Parvathaneni Ravi Kumar with file No.C/13485/00. It is submitted that his date of birth 17.06.1989 was wrongly entered as 17.05.1989 basing on the school records. The petitioner also filed his certificate of birth showing his date of birth as 17.06.1989 and place of birth as St. Joseph's Hospital, Visakhapatnam, indicating father's name as P. Ravi Kumar and mother's name as B. Padma with the date of registration as 26.06.1989.

As the date of birth is wrongly entered as 17.05.1989 instead of 17.06.1989 and place of birth as Kovvali instead of Visakhapatnam, petitioner filed a fresh application for rectification of his date of birth and place of birth and for issuance of fresh passport. But the said application has not been received by the second respondent. Questioning the same the petitioner filed this petition seeking a Writ of Madamus to direct the respondents to receive the fresh application and issue fresh passport with correct date of birth and place of birth.

It is stated that there is no documentary proof to enter incorrect date of birth and incorrect place of birth and when the petitioner filed the school records and certificate of birth the respondents cannot refuse to correct the same in the passport by issuing a fresh passport.

Having regard to the facts and circumstances of the case,
the writ petition is disposed of directing the second respondent to receive the fresh application to be filed by the petitioner along with the school records and certificate of birth either for making necessary corrections in the passport or for issuing a fresh passport in accordance with law within six weeks from the date of receipt of a copy of this order.

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V. ESWARAIAH, J

November 21, 2005

DSK